

TENNESSEE ALCOHOLIC BEVERAGE COMMISSION

**Agenda
September 21, 2012
1:30 pm**

1. Approval of Minutes for August 22, 2012 Commission Meeting

A. 2. RETAIL

A. NEW BUSINESS

**1. BUSTER'S LIQUORS
MEMPHIS, TENNESSEE (SHELBY COUNTY)**

Licensee: Romulus Corporation
Stockholders: R.M. Hammond, III and Gay P. Hammond
Proposed Stockholder: Hammond Trust

Before the Commission is a request for change in ownership of the retail store located at 191 S. Highland Street in Memphis, Tennessee. R.M. Hammond, III owns 76% of the licensee's stock and Gay Hammond owns 24% of the stock. For estate planning purposes they are proposing to transfer their stock to the Romulus M. Hammond, III, and Gay Hammond Irrevocable Life Insurance Trust for the benefit of their three children (Romulus M. Hammond, IV, Joshua P. Hammond, and Anastasia Hammond). Mr. Hammond, III will continue to own 6,187.5 shares as an individual. Romulus M. Hammond, IV will act as trustee, and Romulus Corporation will continue to hold the retail license. All documentation has been provided with the exception of the following:

- a. Questionnaire for Romulus Hammond IV and Anastasia Hammond.

**2. CORNER WINE
FRANKLIN, TENNESSEE (WILLIAMSON COUNTY)**

Licensee: Jai Guru Development of Franklin, LLC
Members: Krishna Patel and Vrushank Surati
Proposed New Members: Manharbhai Patel and Ramesh Surati

Before the Commission is a request for a change in membership of the retail store located at 1110 Hillsboro Road, Suite 120 in Franklin, Tennessee. Krishna Patel owns 51% of the business and Vrushank Surati owns 49% of the business. They wish to sell their proportional interest to their fathers, Manharbhai Patel and

Ramesh Surati, for ten dollars plus the value of inventory. All documentation has been submitted with the exception of the following:

- a. Value of inventory.

**3. JASPER LIQUOR AND WINE
NASHVILLE, TENNESSEE (DAVIDSON COUNTY)**

Applicant: Solo Edo, Inc.

Stockholder: Israel Jasper Imasuen

Before the Commission is a request for a new retail store to be located at 843 Briley Parkway in Nashville, Tennessee. Mr. Imasuen wishes to initially invest \$170,000 to operate the business. Financing is based upon existing personal funds. Mr. Imasuen is leasing the property from Nashville Realty Ventures, LLC for a period of ten years at \$2012/month. All documentation has been submitted with the exception of the following:

- a. Assignment of lease to Solo Edo, Inc.; and
- b. Exact employment at Delaware North and determination if Delaware North holds LBD license.

**4. TOWNE SQUARE PACKAGE STORE
GREENEVILLE, TENNESSEE (GREENE COUNTY)**

Licensee: Towne Square Package Store, Inc.

Stockholders: Sven Hadjopoulos, Joshua Hadjopoulos and Mary Hadjopoulos

Proposed Stockholder: Joshua Hadjopoulos

Before the Commission is a request for a partial transfer of Stock ownership of the retail store located at 200 Summer Street in Greeneville, Tennessee. Currently, Sven and Mary Hadjopoulos each own 17 ½% of the stock, and Joshua Hadjopoulos owns 65% of the stock. Mr. and Mrs. Hadjopoulos wish to transfer the remaining portion of the stock to their son so that Joshua Hadjopoulos will own 100%. All documentation has been submitted.

**5. ANDY’S LIQUORS
SOUTH PITTSBURG, TENNESSEE (MARION COUNTY)**

Applicant: Jay Yogi, Inc.

Stockholders: Ashvin Patel and Yogina Patel

Before the Commission is a request for a new retail store to be located at 690 Highway 72 in South Pittsburg, Tennessee. Ashvin and Yogina Patel wish to initially invest \$150,000. Financing is based upon existing personal funds and a loan with First Volunteer Bank. The applicant corporation is leasing the property from Bill Bradford for a period of five years with monthly rent beginning at \$1500 and increasing to \$1700/month over the term of the lease. All documentation has been submitted with the exception of the following:

- a. Written acknowledgement that the store cannot be operated in conjunction with Laura’s Liquor Store;
- b. Copy of loan agreement with First Volunteer Bank.

**6. BOTTOMS UP LIQUORS
CENTERVILLE, TENNESSEE (HICKMAN COUNTY)**

Applicant: DonLee Forrest Enterprise, LLC

Member: Lisa Forrester

Before the Commission is a request for a new retail store to be located at 1200A Highway 100 in Centerville, Tennessee. Ms. Forrester wishes to initially invest \$100,000 to operate the business. Financing is based upon a loan with First Federal Bank of Dickson. The applicant LLC owns the property where the proposed store will be located. All documentation has been submitted with the exception of the following:

- a. Copy of original loan with First Federal Bank;
- b. TABC Inspection;
- c. Acknowledgement of the rules and regulations;
- d. Use and Occupancy permit;
- e. Sales Tax Number;
- f. Verification that applicant LLC does not conduct any other business.

**7. CENTRAL AVENUE WINES AND LIQUORS
HUMBOLDT, TENNESSEE (GIBSON COUNTY)**

Licensee/Seller: Mark Davis Vasquez
Applicant/Buyer: Crawford Enterprises, Inc.
Stockholders: Michael C. Crawford and Michael D. Crawford

Before the Commission is a request for a change in ownership of the retail store located at 1003 Central Avenue in Humboldt, Tennessee. Michael C. Crawford and Michael D. Crawford wish to purchase the business for \$30,000. Each will own 50% of the stock. Financing is based upon existing personal funds. The corporate applicant will be leasing the property from Harold and Patsy Gunn for a period of five years at \$500/month. All documentation has been submitted with the exception of the following:

- a. Payment of any outstanding citations—if any;
- b. TABC Inspection;
- c. Acknowledgement of the rules/regulations;
- d. Bank statements indicating \$30,000.

**8. SIPS WINES AND SPIRITS
MEMPHIS, TENNESSEE (SHELBY COUNTY)**

Applicant: Interpriz Holding, LLC
Members: Misue Gill

Before the Commission is a request for a new retail store to be located at 3558 Lamar Avenue in Memphis, Tennessee. Ms. Gill wishes to initially invest \$60,000 to operate the business as a LLC. Financing is based upon existing personal funds. The applicant LLC will be leasing the property from Myles Gill for a period of five years at \$4500/month. All documentation has been submitted with the exception of the following:

- a. TABC Inspection;
- b. Use and Occupancy permit;
- c. Deed to Myles Gill;
- d. Copy of Vanguard account indicating \$60,000.

3. WINERIES

**A. EAGLE SPRINGS WINERY
SEVIERVILLE, TENNESSEE (SEVIER COUNTY)**

Applicant: Eagle Springs Winery, Inc.
Stockholders: Phillip Don Collier; Jonathan Edward Ball; and
Elizabeth Kay Collier-Pittman

Before the Commission is a request for a new winery to be located at 119 W. Dumplin Valley Road in Sevierville, Tennessee. Don Collier and Kay Collier-Pittman will invest \$225,000 and will each own 45% of the stock. Mr. Ball will invest \$50,000 and own 10% of the stock. The applicant corporation will be leasing the property from DCKP Properties, LLC for a period of twenty years at \$8333/month—with an option to purchase. All documentation has been submitted with the exception of the following:

- a. TABC Inspection;
- b. Acknowledgement of the rules/regulations;
- c. Certification from Department of Agriculture.

4. WHOLESALEERS

**A. FIRESIDE DISTRIBUTING COMPANY
NASHVILLE, TENNESSEE (DAVIDSON COUNTY)**

Applicant: Fireside Distributing Company, LLC
Members: John Fields and Randall Bennett

Before the Commission is a request for a new wholesaler to be located at 460 Metroplex Drive, Suite 207 in Nashville, Tennessee. (The initial application indicated an address of 518 Heather Place in Nashville; however, negotiations for this location were not successful.) Mr. Fields and Mr. Bennett will initially be investing a total of \$125,000 to operate the business. Each will have 50% interest. The applicant LLC will be leasing the property from Levy Pin Oaks, LLC for a period of three years. All documentation has been submitted with the exception of the following:

- a. Use and Occupancy permit;
- b. TABC Inspection;
- c. Acknowledgement of the rules and regulations;
- d. Sales Tax Number;

- e. TTB permit for new location;
- f. Deed to Levy Pin Oaks, LLC;
- g. Signed copy of the lease indicating monthly rent.

**B. ALEKESY'S IMPORTS CHATTANOOGA
CHATTANOOGA, TENNESSEE (HAMILTON COUNTY)**

Licensee/Seller: Alekesy's Imports Chattanooga, LLC
Member: Stan Reed
Applicant/Buyer: Hand Family Wine & Spirits, LLC
Members: Charles Hand, Sr. and Charles Hand, Jr.

Before the Commission is a request for a change in ownership of the wholesale business currently located at 4295 Cromwell Road, Suite 414 in Chattanooga, Tennessee. [If approved, the applicant LLC wishes to transfer location to 20 East 14th Street in Chattanooga, Tennessee and operate the business under the name of HAND FAMILY WINE AND SPIRITS.](#)

Mr. Hand, Sr. and Mr. Hand, Jr. wish to purchase the assets of Alekesy's Imports Chattanooga. The applicant LLC will be leasing the property at the new proposed location for a period of ten years at \$2500/month. All documentation has been submitted with the exception of the following:

- a. Bill of Sale;
- b. Use and Occupancy permit;
- c. TABC Inspection;
- d. Acknowledgement of the rules/regulations;
- e. Deed to CWHFP, LLC;
- f. Surrender of license by Alekesy's Imports; and
- g. TTB permit at this location.

**C. ALEXESEY'S IMPORTS
NASHVILLE, TENNESSEE (DAVIDSON COUNTY)**

Licensee/Seller: Alexei Khimenko
Applicant/Buyer: Ajax Turner Beverages, LLC
Members: Scott Turner; Todd Williams; Jack Turner; and Jill Crow

Before the Commission is a request for a change in ownership of the wholesale business currently located at 1056 Acorn Drive in Nashville, Tennessee. Ajax Turner Beverages, LLC wishes to

purchase the wholesale business from Alexei Khimenko. (Scott Turner will own 25%; Todd Williams will own 20%; Jack Turner will own 30% and Jill Crow will own 25%.) The applicant LLC will be leasing the property from Tenn-Tex Properties for a period of four years with monthly rent beginning at \$4150 and increasing to \$4357.50 over the term of the lease. All documentation has been submitted with the exception of the following:

- a. Bill of Sale;
- b. Use and Occupancy permit;
- c. TABC Inspection;
- d. Acknowledgement of the rules/regulations;
- e. Surrender of license by Alekesy's Imports; and
- f. TTB permit at this location.

**D. LIPMAN BROTHERS
NASHVILLE, TENNESSEE (DAVIDSON COUNTY)**

Licensee: Lipman Brothers, Inc.

Stockholders: Robert Lipman; Richard Thibus; and Daniel Howell

Before the Commission is a request for an additional storage warehouse facility for the above-referenced wholesaler. The storage facility will be located at 287 Hermitage Avenue in Nashville, Tennessee. No operations of the business will occur at this location: merely the storage of product. All documentation has been submitted with the exception of the following:

- a. TABC Inspection;
- b. Use and Occupancy permit;
- c. Acknowledgement of the rules/regulations;
- d. Lease and deed;
- e. List of stockholders w/questionnaires;
- f. Charter.

**E. TCD COMPANY (UNITED)
MEMPHIS, TENNESSEE (SHELBY COUNTY)**

Licensee: TCD, Company

Stockholder: Georgia Crown Distributing Company

Before the Commission is a request for a transfer of location of the wholesale business currently located at 4009 Air Park Cove in Memphis, Tennessee. They wish to transfer location to 7625 Appling Center Drive in Memphis, Tennessee. (7625 Appling

Center Drive is the current location of Southwestern Distributing Company. TCD, Company was approved at the August, 2012 Commission meeting as the new stockholder of Southwestern Distributing Company.) They will be leasing the property from Crown Logistics, LLC for a period of one year, with monthly rent of \$19,600. All documentation has been submitted with the exception of the following:

- a. TABC Inspection;
- b. Deed to Crown Logistics;
- c. Signatures on lease.

5. DISTILLERY

**A. GATLINBURG BARRELHOUSE
GATLINBURG, TENNESSEE (SEVIER COUNTY)**

Applicant: Gatlinburg Barrelhouse, LLC

Member: Virginia Jessup Baker

Before the Commission is a request for a new distillery to be located at 650 Parkway in Gatlinburg, Tennessee. Ms. Virginia Baker wishes to initially invest \$75,000 to operate the business as a LLC. The applicant LLC is sub-leasing the property from Gatlinburg Distilling, LLC for a period of twenty years with monthly rent at \$12,500. Tao Enterprises, Inc. is the owner of the property. All documentation has been submitted with the exception of the following:

- a. TABC Inspection;
- b. Acknowledgement of the rules/regulations.

6. PRIVATE CLUBS

**A. VFW POST NO. 4893
101 Eddy Lane
Franklin, TN 37064-2936**

**Applicant: Roy F. Alley VFW Post No. 4893
Owners: Roy F. Alley VFW Post No. 4893
David Pratt, Commander
Jimmy Hassell, Sr Vice Commander
William Lehenbauer, Jr Vice Commander
James Ruzinok, Quartermaster
Lloyd Anderson, Trustee
David O'Byrne, Trustee
Matthew Kinser, Trustee**

Before the Commission is a request of the Private Club, Roy F. Alley VFW Post No. 4893, located at 101 Eddy Lane, Williamson County, Franklin, TN 37064-2936, for an On Premise Permit to sell alcoholic beverages pursuant to T.C.A. §57-4-102(8). This organization is a non-profit association existing under the laws of the State of Tennessee for at least two (2) years prior to this application. The organization has at least one hundred (100) members regularly paying dues, which meets the statutory requirement of at least one hundred (100) members. The organization is operated exclusively for pleasure, recreation and other non-profit purposes of its members and no part of the net earnings inures to the benefit of any shareholder or member. The organization has adequate space for the reasonable use of its members with a suitable kitchen and dining room and with sufficient employees for cooking, preparing and serving meals for its members and guests. No member, officer, agent or employee of this Private Club is paid directly, indirectly nor do any of the aforementioned parties directly or indirectly receive in the form of salary or other compensation, any profits from the sale of spirituous liquors, champagnes or malt beverages beyond the amount of such salary as may be fixed by the members at an annual meeting or by its governing body out of the general revenue of the club. All documentation has been submitted except the following:

1. Copy of published newspaper notice
2. Certificate of Occupancy
3. Dept of Revenue Bond
4. Inspection
5. Acknowledgement of Rules and Regulations
6. Food menu
7. Liquor price schedule
8. Tennessee sales tax number

5. **CONTESTED CASES**

A. **SERVER TRAINERS**

1. **Maria Tressler - September**

On September 14, 2012, Maria Tressler was served with a summary suspension of her Server Training Certificate. Tennessee Certificate # 2309. The suspension was based upon the following:

- Citation ST # 11-0001 (UNPAID)
- Citation ST # 11-0002 (UNPAID)
- Citation ST # 12-0004 (UNPAID)
- According to Training Specialist Virginia Stooksbury, several students have called the TABC trying to get their server permit cards, stating that they took a class from Maria Tressler and have yet to receive server permits. Ms. Stooksbury has looked through the TABC database and found have no information in regards to these classes or students. It appears that students are paying for classes, yet not receiving their server permits.
- Ms. Tressler also submitted a check with non-sufficient funds to the TABC in June in the amount of \$435.00

2. **Christopher Phillips**

On February 12, 2012 TABC received a permit application from Taylor Clements. The permit was denied because Ms. Clements is not 18 years of age. Ms. Clements was not be eligible for a permit until July 5, 2012. Ms. Clements informed Hayword Reed, Server Trainer Specialist, as well as Danielle Elks, Executive Director that she was told to put that she was 18 by her server permit instructor, Christopher Phillips. Mr. Phillips was cited for telling a server in his class to provide false and misleading information to the agency. This is in violation of TABC Rule 0100-8-.06 (4).

B. **SUMMARY SUSPENSION OF LBD LICENSE**

1. **Yeah Baby's (formerly Silverado's) – Permit #52488**

Order of Summary Suspension of License -

On or about September 3, 2012, approximately 50 shots were fired at Yeah Baby's, located at 1204

Murfreesboro Rd. Three people were shot. Semi automatic hand guns were used. On September 14, 2012 TABC summarily suspended the liquor- by- the- drink license of Yeah Baby's based on the health, welfare, and safety of the public. TABC is seeking permanent revocation in later proceedings.

6. BUDGET

7. CONSENT ORDERS

8. PENDING MATTERS LIST

9. PERSONNEL

10. MISCELLANEOUS

A. Monthly Summary of TABC Activity

B. Interpretation of Language found in Public Chapter 691 (Farm Winery Bill). Section 1(c)(4) of the Public Chapter 691 indicates that a farm winery may (1) offer complimentary tastings on the premises of the farm and (2) may sell at retail on the premises of the farm in sealed containers in a designated building or area where no wine is consumed. The issue for the Commission to determine is whether wine may be sold in sealed containers where the complimentary tastings occur.

11. DATE OF NEXT MEETING